

United States District Court

SOUTHERN

DISTRICT OF

NEW YORK

United States of America

SUMMONS IN A CIVIL CASE

V.

CASE NUMBER:

Thomas P. Sobiech, Robin Sobiech, Nichris Corporation, Pine Island Group, Inc.,
Gotham Renovation Group, Inc., Orange County Trust Company, Joseph Wu,
Sharyland L.P. d/b/a Plantation Produce Company, M&M Packaging, Inc., Mellon
Bank, United Penn Bank, Pietrzak & Pfau Engineering & Surveying, PLLC, John Does
Nos. 1-10 and Jane Does Nos. 1-10

TO: (Name and address of defendant)

United Penn Bank
c/o Mellon Bank
1735 Market Street, 8th Floor
Philadelphia, PA 19103

07 CV 6335

JUDGE BRIEANT

YOU ARE HEREBY SUMMONED and required to serve upon PLAINTIFF'S ATTORNEY (name and address)

Michael J. Garcia
United States Attorney for the Southern District of New York
By: Kristin L. Vassallo, Assistant United States Attorney
86 Chambers Street, 3rd Floor
New York, NY 10007

an answer to the complaint which is herewith served upon you, within 30 days after service of this summons upon you, exclusive of the day of service. If you fail to do so, judgment by default will be taken against you for the relief demanded in the complaint. You must also file your answer with the Clerk of this Court within a reasonable period of time after service.

MICHAEL McMAHON

JUL 11 2007

CLERK

DATE

(BY) DEPUTY CLERK

UNITED STATES DISTRICT COURT SOUTHERN DISTRICT OF NEW YORK

Date Purchased: July 11, 2007

Date Filed: _____

Court Date: _____

COUNTY

ATTORNEY(S): Kristin L. Vassallo AUSA : U.S. Attorney's Office - SDNY PH: 212-637-2822

ADDRESS: 86 Chambers Street New York N.Y. 10007 File No.: _____

UNITED STATES OF AMERICA,

vs.

THOMAS P. SOBIECH, et al.,

Plaintiff(s)/Petitioner(s)

Defendant(s)/Respondent(s)

STATE OF Pennsylvania, COUNTY OF Philadelphia SS.:
DEAN A CICCARELLI

, being duly sworn deposes and says:

Deponent is not a party herein, is over 18 years of age. On July 24, 2007 at 2:30 PMat 1735 MARKET STREET 8TH FLOOR PHILADELPHIA PENNSYLVANIA 19103, deponent served the within**Summons In A Civil Case. Complaint. Notice of Pendency. Judge's Rules. Magistrate's Rules and Electronic Case Filing Notice**with Index Number 07 Civ. 6335 (CLB)(LMS), and Date Purchased July 11, 2007 endorsed thereon,on: UNITED PENN BANK c/o MELLON BANK, Defendant therein named.#1 INDIVIDUAL ☐ By delivering a true copy of each to said recipient personally; deponent knew the person served to be the person described as said person therein.#2 CORPORATION ☒ By delivering to and leaving with CAROL SAYLOR, legal asst and that deponent knew the person so served to be Managing Agent of the corporation, and authorized to accept service on behalf of the corporation.*Service was made in the following manner after your deponent was unable, with due diligence, to serve the witness/defendant in person, and an attempt to locate the defendant's place of employment.*#3 SUITABLE AGE PERSON ☐ By delivering a true copy of each to _____ a person of suitable age and discretion. Said premises is recipient's ☐ actual place of business ☐ dwelling house (usual place of abode) within the state.#4 AFFIXING TO DOOR ☐ By affixing a true copy of each to the door of said premises, which is recipient's: ☐ actual place of business ☐ dwelling house (place of abode) within the state.#5 MAIL COPY ☐ On _____, deponent completed service under the last two sections by depositing a copy of the _____ to the above address in a 1st Class postpaid properly addressed envelope marked "Personal and Confidential" in an official depository under the exclusive care and custody of the United States Post Office in the State of _____ Certified Mail No. _____Deponent was unable, with due diligence to find recipient or a person of suitable age and discretion, having called thereat on the _____ day of _____ at _____
on the _____ day of _____ at _____
on the _____ day of _____ at _____
on the _____ day of _____ at _____#6 NON-SRVC ☐ After due search, careful inquiry and diligent attempts, I have been unable to effect process upon the person/entity being served because of the following: ☐ Unknown at Address ☐ Evading ☐ Moved left no forwarding ☐ Address does not exist ☐ Other: _____#7 DESCRIPTION ☒ A description of the Defendant, or other person served, or spoken to on behalf of the Defendant is as follows:
(use with #1, 2 or 3) Sex F Color of skin Cauc Color of hair brn Age 50 Height 5'2"
Weight 110 Other Features: _____#8 WIT. FEES ☐ the authorized witness fee and / or traveling expenses were paid (tendered) to the recipient.#9 MILITARY SRVC ☒ Deponent asked person spoken to whether the recipient was presently in military service of the United States Government or of the State of _____ and was informed that recipient was not. Recipient wore ordinary civilian clothes and no military uniform.#10 OTHER ☐ _____Sworn to before me on this 25th day of July 2007Please Print Name Below Signature
DEAN A CICCARELLINOTARIAL SEAL
PATRICIA MORRIN
Notary PublicPHILADELPHIA CITY, PHILADELPHIA COUNTY
CAPITAL PROCESS SERVERS, INC. 265 POST AVENUE SUITE 150, WESTBURY, NY 11590 - TEL 516-333-6380 • FAX 516-333-6382
My Commission Expires Nov 9, 2010

Invoice•Work Order # 0734512